CITY OF PACIFIC
WASHINGTON
ORDINANCE No. 12-1819

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, AMENDING
PACIFIC MUNICIPAL CODE SECTION 14.48.110 AND 14.88.060
REGARDING WATER AND SEWER UTILITY LEAK ADJUSTMENTS FOR
RESIDENTIAL AND NONRESIDENTIAL

WHEREAS, the City finds that the current leak adjustment regulations need to be updated to
reflect a more accurate average consumption rate; and

WHEREAS, it is recommended by staff that the same period in the prior two years be used to
determine the average consumption; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DO
ORDAIN AS FOLLOWS:
(repealed language is noted by strike through and new language is underlined)

Section 1. Pacific Municipal Code section 14.48.110 is amended as follows:

14.48.110 Sewer leak adjustment on Commercial Accounts

In the event of a water leak or of failure of a private water system located on the
private property of a nonresidential concern that results in excess consumption, the
city may in its discretion through administrative staff determination, provide for a
sewer billing adjustment through a based upon average consumption. Average
consumption is based on the account’s actual consumption for the same
period in the prior two years, in the event the account does not have two
years consumption history the City will use the city’s average for a similar
type account i.e. restaurant, car wash. In no event will the adjustment be for
more than two billing cycles. The adjustment will be considered only if the following
conditions are met: (1) the adjustment is allowed no more than once every 24
months; (2) the city is notified of the leak or failure either by notice from the
customer or from the city’s own written notice to the property owner; and (3) the city
requests verification of system or leak repair within 30 days of the notification.
Verification of system or leak repair requires copies of repair invoices
and/or receipts and confirmation by City staff that the repair is complete.

Section 2. Pacific Municipal Code section 14.88.060 is amended as follows:

14.88.060 Water leak adjustment.

In the event of a water leak or of failure of a private water system located on the
private property that results in excess consumption, the city may in its discretion
through administrative staff determination, provide for a water billing adjustment
through a credit of 50 percent of the volume and rate above normal consumption
based upon average consumption. Average consumption is based on the actual consumption for the same period in the prior two years, in the event the account does not have two years consumption history the City will use the city's average for a similar account type i.e. residential, commercial. In no event will the adjustment be for more than once every 24 months; (2) the city is notified of the leak or failure either by notice from the customer or from the city's own written notice to the property owner; and (3) the city requests verification of system or leak repair within 30 days of the notification.

Verification of system or leak repair requires copies of repair invoices and/or receipts and confirmation by City staff that the repair is complete. Ord. 1303 § 2, 1996).

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance by pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force effective February 22, 2012.


CITY OF PACIFIC

CY-SON, MAYOR

ATTEST/AUTHENTICATED:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY